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10/711,252

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John Jackson

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EXAMINER

LAU, HOI CHING

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/711,252

Applicant(s)

JACKSON ET AL.

Examiner

Hoi C. Lau

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-50 have been examined.

***Claim Objections***

2. Claims 11-12 and 17 are objected to because of the following informalities:
  - a. Claims 11 and 12 are duplicated claims wherein either one of them needs to be cancelled.
  - b. The preamble of claim 17 should replaced claim 18 with –claim 16 – to avoid claims dependency informality.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-10, 13-17, 24-33 and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKeown et al. (U.S. 6,987,451).

Regarding **Claim 1**, McKeown teaches a method for the classification of an individual or object with a zone comprises:

receiving objects within a predefined zone area from each of at least a first and second surveillance means (Figure 2 and column 1, lines 36-50 and 65-68);

comparing characteristics of the received objects and further comparing characteristics of the objects within a received objects to characteristics of the objects within a different received objects, wherein the characteristics are based upon a predetermined characteristics (column 2, lines 1-5); and

determining if each object identified by the first corresponds to an object identified by the second surveillance means surveillance means (column 2, lines 33-35).

It fails to clearly mention the each received set of objects being filtered and the received objects are in set.

However, the system of McKeown is inherently included the filtering process for the received data through data transmission in order to clearly take geo-spatial location information on multiple objects being provided by several different position location or tracking system and surveillance system and compares that information in relation to time and space to determine if each of the input system is referring to the same targets (column 36-50 and 65-68). Furthermore, it would have been obvious to one of ordinary skill in the art the system of McKeown would received and compared the data as a set of objects if there are multiple objects being provided as stated in McKeown (column 1, lines 65-68 and column 2, lines 9-14).

As to **Claim 2**, McKeown teaches the step of the first and second surveillance means determining the location of the received objects (column 2, lines 25-27 and 50-53).

As to **Claim 3**, McKeown teaches the second surveillance means provides a video feed of a field-of-view of the predefined zone area (column 2, lines 50-53 and 64-67).

As to **Claim 4**, McKeown teaches the first surveillance means comprise at least wherein the objects identified by the one of an identification device (RFID), wherein each device comprises an associated profile from database (column 2, lines 29-32 and column 3, lines 4-28).

It would have been obvious to one of ordinary skill in the art the RFID device of McKeown could be active or passive device because both of the RFID devices are the well-known and widely used type in the market.

As to **Claim 5**, McKeown teaches the step of comparing the characteristics of the filtered sets of objects further comprises the step of determining if an object received by the first surveillance means is within a predetermined measure of distance from an object received by the second surveillance means (column 2, lines 1-8).

As to **Claim 6**, McKeown teaches the method wherein if it is determined that an object received by the first surveillance means is within a predetermined distance from an object identified by the second surveillance means then the two objects are assumed to be the same object (column 2, lines 1-8).

As to **Claim 7**, McKeown teaches the step of assigning and identifying an object received by the second surveillance means with a profile of an object received by the first surveillance means if the two objects, are determined to be the same object (column 2, lines 1-8 and 29-32 and column 3, lines 4-28).

As to **Claim 8**, McKeown teaches if an object is identified, then no action is taken (column 2, lines 53-58 and column 3, lines 4-33).

It fails to show the identified object is classified as a friendly object if no action is taken.

However, the objects would be obvious to define as “friendly object” in McKeown’s system because these particular objects do not cause or raise any security flag.

As to **Claim 9**, McKeown teaches if an object is not identified, then an alarm condition is initiated and the object would be obvious to classify as an unfriendly object (see rejection of claim and column 2, lines 53-58 and column 3, lines 4-33).

As to **Claim 10**, McKeown meets the limitation of claims by show the video feed is used to construct a map of the predetermined zone area featuring the location of the objects present in the video feed (column 2, lines 25-32).

It would have been obvious to one of ordinary skill in the art the mapping system of McKeown would be either or both 2D or 3D map which depends on the manufacture application because both interfaces provide a distinct feature for the end user of mapping navigation.

Regarding **Claim 13**, McKeown teaches a method for the classification of an individual or object with a zone comprises:

receiving a comparable objects within a predefined zone area from each of at least a first and second surveillance means, respectively;

comparing characteristics of the received objects and comparing characteristics of the objects within a received objects to characteristics of the objects within a different received objects, wherein the characteristics are based upon a set of predetermined characteristics; and

determining if the objects identified by the first surveillance means corresponds to the objects identified by the second surveillance means (Figure 2 and column 1, lines 36-50 and 65-68, column 2, lines 1-5 and lines 33-35).

It fails to clearly mention the received objects are in set.

However, it would have been obvious to one of ordinary skill in the art the system of McKeown would receive and compare the data as a set of objects if there are multiple objects being provided as stated in McKeown (column 1, lines 65-68 and column 2, lines 9-14).

As to **Claim 14**, McKeown teaches the second surveillance means provides a video feed of a field-of-view of the predefined zone area (column 2, lines 50-53 and 64-67).

As to **Claim 15**, McKeown teaches the step of receiving objects or sets of objects comprises receiving information or data corresponding to objects or sets of real objects from sensors, or from data storage means or communication means operatively associated with such sensors (tracking and surveillance system), and processing such information (Figure 2 and column 2, lines 46-57 and column 3, lines 1-28).

It fails to clearly mention the communication system is computer base.

However, it would have been obvious to one of ordinary skill in the art most of the existing networking system are computer base system and figure 2 of McKeown shows the database and its networking system are interconnect with a computer system.

As to **Claim 16**, McKeown teaches the step of determining the number of objects within a set of objects that have been received by the first surveillance means (column 2, lines 15-20).

As to **Claim 17**, McKeown teaches the step of determining the number of objects within a set of objects that have been identified by the second surveillance means (column 2, lines 15-20).

Regarding **claims 24-26**, they correspond to the method of claims 1-3, they are therefore rejected for the similar reasons set forth in rejection of claims 1-3, respectively.

As to **Claim 27**, it corresponds to the method of claim 15, it is therefore rejected for the similar reasons set forth in rejection of claim 15.

As to **claims 28-30**, they correspond to the method of claims 6-7, they are therefore rejected for the similar reasons set forth in rejection of claims 6-7, respectively.

As to **claims 31-33**, they correspond to the method of claims 8-10, they are therefore rejected for the similar reasons set forth in rejection of claims 8-10, respectively.

Regarding **claims 36 and 37**, they correspond to the method of claims 1 and 3, they are therefore rejected for the similar reasons set forth in rejection of claims 1 and 3, respectively.

As to **Claim 38**, it corresponds to the method of claim 4, it is therefore rejected for the similar reasons set forth in rejection of claim 4.

As to **Claim 39**, it corresponds to the method of claim 16, it is therefore rejected for the similar reasons set forth in rejection of claim 16.

As to **Claim 40**, it corresponds to the method of claim 15, it is therefore rejected for the similar reasons set forth in rejection of claim 15.

4. Claims 11-12 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKeown et al. (U.S. 6,987,451) in view of Samarasekera et al. (U.S. 2005/0024206).

As to **claims 11 and 12**, MacKeown meets the limitation of claim by showing the step of utilizing object location data acquired from the first and second surveillance means in

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conjunction with video feed data of the objects received at the second surveillance means in order to construct a map of the predetermined zone area, the friendly and unfriendly objects situated within the zone area being displayed upon map (column 2, lines 15-32), wherein it is silent on rather the mapping system is 2D or 3D image (see rejection of claim 10).

It fails to show location data acquired from the first and second surveillance in conjunction with video feed data to construct a 3D map.

Samarasekera teaches a security monitoring system is using a live model, e.g. a 2D or 3D model, which constantly being updated from different directions using multiple video streams, wherein the 3D model is constructed of the monitored site or area and used as glue for combining the video feed data.

**NOTE:** Official Notice is taken that the both the concept and the advantages of providing of videos over a 2D or 3D image are well-known and expected in the art (paragraph 31).

It would have been obvious to one of ordinary skill in the art to combine the tracking and surveillance system with mapping display taught by Mckeown with the 2D or 3D image display for security system taught by Samarasekera because it would provide a better understand tactical situation more quickly for security forces and they are better able to focus on threat and take the necessary action to prevent an attack or reduce its consequences. Further, there might be situations where a 2D or adaptive 3D can be applied as well depending on the application, for example, the 2D model can be a plan layout of a zone while 3D is shown overlaid on the 3D model when the viewer views the scene from a viewing angle or pose.

As to **Claim 34**, it corresponds to the method of claim 11, it is therefore rejected for the similar reasons set forth in rejection of claim 11.

As to **Claim 34**, the combination shows the 3D display of the zone and Mckeown shows each friendly and unfriendly objects relative position and in relation of time and space are tracked and displayed (column 2, lines 1-8 and 25-45).

It fails to clearly mention the respective path of movement of objects.

However, it teaches the objects location tracking across multiple zones which is correlated with the path of movement.

5. Claims 18-21 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKeown et al. (U.S. 6,987,451) in view of Tanaka et al. (U.S. 2003/0197612).

As to **claim 18**, MacKeown meets the limitation of claim by showing tracking and surveillance system with the implementation of RFID and Video technology.

It fails to show the step of comparing the number of objects received by the first surveillance means to the number of objects received by the second surveillance means in order to determine if the number of received objects are equal or not equal.

Tanaka teaches a system for classification of an individual or object within a zone with RFID and video device comprises the step of comparing the number of objects received by the first surveillance means to the number of objects received by the second surveillance means in order to determine if the number of received objects are equal or not equal (paragraphs 20, 116-118).

It would have been obvious to one of ordinary skill in the art to combine the position allocation of objects for surveillance zone taught by MacKeown with the number of objects as a detection signal for intrusion taught by Tanaka because the combination of both method provide

a better and accurate detection algorithm as enforcement. Further, MacKeown stated various changes may be made and equivalents may be substituted without changing the scope of invention wherein both position allocation of objects or comparison of number of objects would be an alternative method for intrusion system.

**NOTE:** Official Notice is taken that both RFID and video device has the capability for counting the number of objects within a predetermine zone (also see U.S. 6,697,104 and U.S. 2002/0067259).

As to **claim 19**, the combination meets the limitation of claims and Tanaka shows if it is determined that the number of objects received at the first and second surveillance means are equal then no action is taken (paragraphs 20, 116-118).

As to **claim 20**, the combination meets the limitation of claims and Tanaka shows if it is determined that the number of objects received at the first and second surveillance means are not equal then an alarm condition is initiated (paragraphs 20, 97-98 and 116-118).

As to **Claim 21**, the combination meets the limitation of claims and MacKeown shows the video feed is used to construct a map of the predetermined zone area featuring the location of the objects present in the video feed (column 2, lines 25-32).

It would have been obvious to one of ordinary skill in the art the mapping system of McKeown would be either or both 2D or 3D map which depends on the manufacture application because both interfaces provide a distinct feature for the end user of mapping navigation.

As to **claims 41-43**, they correspond to the method of claims 18-20, they are therefore rejected for the similar reasons set forth in rejection of claims 18-20, respectively.

As to **Claims 44**, it corresponds to the method of claim 21, it is therefore rejected for the similar reasons set forth in rejection of claim 21.

6. Claims 22-23 and 45-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKeown et al. (U.S. 6,987,451) in view of Tanaka et al. (U.S. 2003/0197612), in further view of Samarasekera et al. (U.S. 2005/0024206).

As to **claims 22 and 23**, the combination meets the limitation of claim by MacKeown shows the step of utilizing object location data acquired from the first and second surveillance means in conjunction with video feed data of the objects received at the second surveillance means in order to construct a map of the predetermined zone area, the friendly and unfriendly objects situated within the zone area being displayed upon map (column 2, lines 15-32), wherein it is silent on rather the mapping system is 2D or 3D image (see rejection of claim 10).

It fails to show location data acquired from the first and second surveillance in conjunction with video feed data to construct a 3D map.

Samarasekera teaches a security monitoring system is using a live model, e.g. a 2D or 3D model, which constantly being updated from different directions using multiple video streams, wherein the 3D model is constructed of the monitored site or area and used as glue for combining the video feed data.

**NOTE:** Official Notice is taken that the both the concept and the advantages of providing of videos over a 2D or 3D image are well-known and expected in the art (paragraph 31).

It would have been obvious to one of ordinary skill in the art to combine the tracking and surveillance system with mapping display taught by Mckeown with the 2D or 3D image display

for security system taught by Samarasekera because it would provide a better understand tactical situation more quickly for security forces and they are better able to focus on threat and take the necessary action to prevent an attack or reduce its consequences. Further, there might be situations where a 2D or adaptive 3D can be applied as well depending on the application, for example, the 2D model can be a plan layout of a zone while 3D is shown overlaid on the 3D model when the viewer views the scene from a viewing angle or pose.

As to **claims 45-46**, they correspond to the method of claims 22-23, they are therefore rejected for the similar reasons set forth in rejection of claims 22-23, respectively.

As to **Claims 47**, it corresponds to the method of claim 43, it is therefore rejected for the similar reasons set forth in rejection of claim 43.

As to **Claims 48**, it corresponds to the method of claim 21, it is therefore rejected for the similar reasons set forth in rejection of claim 21.

As to **claims 49-50**, they correspond to the method of claims 22-23, they are therefore rejected for the similar reasons set forth in rejection of claims 22-23, respectively.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- a. Aviv (U.S.6,028,628) "Abnormality detection and surveillance system"
- b. Nichani et al. (U.S. 2005/0093697) "Method and system for enhanced portal security through stereoscopy "

- c. Fufidio et al. (U.S. 2002/0067259) "Portal intrusion detection apparatus ..."
  - d. Yakobi et al. (U.S. 6,697,104) "Video based system and method for ..."
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoi C. Lau whose telephone number is (571)272-8547. The examiner can normally be reached on M- F 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571)272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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